

IN IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John J. Harrington, et al.

Serial No.: 09/513,997

Filed: February 26, 2000

For: Compositions and Methods for Non-Targeted Activation of Endogenous Genes



Art Unit: 1643

Examiner: Not Assigned

Atty. Docket: 0221-0003Q

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RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action dated November 7, 2000, requesting an election of claims in the above-referenced patent application. Applicants note that the Restriction Requirement should have read "100-103" as per a discussion with the Examiner on November 16, 2000. Therefore, Applicants hereby provisionally elect to prosecute the claims of **Group V (Claims 81, 83-88, 92 and 100-103)**, without traverse.

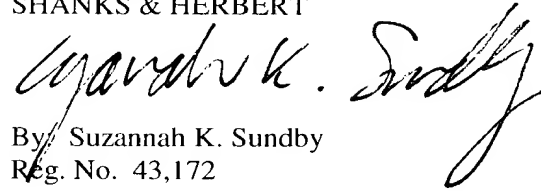
This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications to the non-elected groups. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees

required therefor are hereby authorized to be charged to Deposit Account No. 50-0622.

Respectfully submitted,

SHANKS & HERBERT

A handwritten signature in cursive script, appearing to read "Suzannah K. Sundby".

By: Suzannah K. Sundby
Reg. No. 43,172

Date: 1 December 2000
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